

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GERALD VON TOBEL,

Plaintiff,

vs.

ISIDRO BACA, *et al*,

Defendants.

Case No.: 3:17-CV-00161-RCJ-WGC

ORDER ADOPTING AND ACCEPTING
REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE
(ECF NO. 46)

Before the Court is the Report and Recommendation of United States Magistrate Judge William G. Cobb (ECF No. 46¹) entered on June 18, 2020, recommending that the Court grant and deny in part Defendants' Motion for Summary Judgment (ECF No. 34). On June 24, 2020, in response to the Report and Recommendation (ECF No. 46) Plaintiff filed a Notice of Intent to Appeal (ECF No. 48).

This action was referred to Magistrate Judge Cobb under 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 1-4 of the Rules of Practice of the United States District Court for the District of Nevada.

¹ Refers to Court's docket number.

1 The Court has conducted its *de novo* review in this case, has fully considered the
2 pleadings and memoranda of the parties including the parties' objections to the Report and
3 Recommendation and other relevant matters to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2.
4

5 **IT IS HEREBY ORDERED** that United States Magistrate Judge Cobb's Report and
6 Recommendation (ECF No. 46), is **ADOPTED and ACCEPTED**.

7 **IT IS FURTHER ORDERED** that Defendants' Motion for Summary Judgment (ECF
8 No. 34) is **GRANTED and DENIED IN PART** as follows:

9 **IT IS FURTHER ORDERED** that summary judgment is **GRANTED** as to Defendants
10 **HANNAH** and **MANNING**.
11

12 **IT IS FURTHER ORDERED** that the Clerk of the Court shall enter judgment
13 accordingly as to Defendants **HANNAH** and **MANNING**.
14

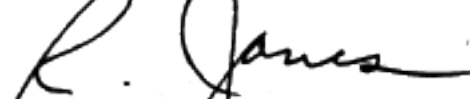
15 **IT IS FURTHER ORDERED** that summary judgment is **GRANTED** as to the official
16 capacity claims against Defendants **BROOKS** and **RAYMOND**.

17 **IT IS FURTHER ORDERED** that the Clerk of the court shall enter judgment
18 accordingly as to Defendants **BROOKS** and **RAYMOND** with respect to the official capacity
19 claims.
20

21 **IT IS FURTHER ORDERED** that Defendants' Motion for Summary Judgment (ECF
22 No. 34) is **DENIED** as to the individual capacity claims against Defendants **BROOKS** and
23 **RAYMOND**.
24

25 **IT IS SO ORDERED.**

26 Dated this 8th day of July, 2020.

27 
28 ROBERT C. JONES
United States District Judge